

EXHIBIT 38

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

County of Cuyahoga v. Purdue  
Pharma L.P., et al.

City of Cleveland, Ohio v. Purdue  
Pharma L.P., et al.

The County of Summit, Ohio, et al.  
v. Purdue Pharma L.P., et al.

Case No. 1:18-OP-45132

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Deposition of
SCOTT MORAN

December 20, 2018

9:00 a.m.

Taken at:

Zashin & Rich
950 Main Avenue, Fourth Floor
Cleveland, Ohio

Renee L. Pellegrino, RPR, CLR
THE FOLLOWING PAGES WERE DEEMED
HIGHLY CONFIDENTIAL: 128-170

1 Q. Let's say you have someone who's got
2 a lawfully prescribed medication --

3 A. Okay.

4 Q. -- for an opioid, and passes away,
5 and then the relatives come in and take those
6 opioids and sell them or use them. In that
7 circumstance, who is to blame?

8 MS. DEBROSSE ZIMMERMAN: Object to
9 form.

10 A. When you say "lawfully," that's
11 iffy, too, because obviously they're lawfully
12 but maybe not needed, but obviously it would be
13 the family for the improper --

14 Q. It's not your testimony, is it, that
15 there's no circumstance in which opioids are
16 necessary and properly prescribed?

17 MS. DEBROSSE ZIMMERMAN: Object to
18 form.

19 A. I don't --

20 Q. Is it your testimony that there's no
21 situation in which opioids are medically
22 necessary and -- medically necessary and
23 properly prescribed?

24 A. Sir, I'm not a doctor.

25 Q. You are aware that there are

1 lawfully prescribed opioids out there?

2 A. I'm aware that there are lawfully
3 prescribed opioids, yes.

4 Q. Okay. And what I'm saying is, in
5 that circumstance where someone gets a lawfully
6 prescribed opioid for a legitimate medical need,
7 but then passes away and the family comes in and
8 takes those unused pills and sells them or uses
9 them themselves -- in that circumstance you
10 would not blame the manufacturer who made the
11 pill, would you?

12 MS. DEBROSSE ZIMMERMAN: Object to
13 form.

14 A. In that specific circumstance,
15 describing the way the events unfolded,
16 obviously it's the person -- the persons
17 involved with improper storage and the person
18 obviously taking them, so --

19 Q. Right.

20 And in that circumstance you also
21 wouldn't blame the distributor that distributed
22 the pill, correct?

23 MS. DEBROSSE ZIMMERMAN: Object to
24 form.

25 A. In that circumstance, yes.